

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) SPRINGDALE OK SPE LLC;
(2) SUMMER OAKS REALTY SPE LLC; and
(3) BRYAN HILL SPE LLC,

Plaintiffs,

v.

Case No. CIV-21-543-PRW

(1) WEHNER MULTIFAMILY LLC;
(2) WEHNER CONSTRUCTION
MANAGEMENT, LLC; and
(3) RYAN WEHNER,

Defendants.

NOTICE OF REMOVAL

1. Wehner Multifamily, LLC, Wehner Construction Management, LLC, and Ryan Wehner are defendants in a civil action styled Springdale OK SPE LLC, *et al.* v. Wehner Multifamily LLC, *et al.*, Case No. CJ-2021-1871, filed in the District Court of Oklahoma County, State of Oklahoma.

2. Defendants were served with the Petition in the action on May 3, 2021.

3. Defendants Wehner Multifamily and Wehner Construction are limited liability companies organized under the laws of the State of Texas. The member of Wehner Multifamily and Wehner Construction is a corporation that is a citizen of Texas and Delaware. Defendant Ryan Wehner is an individual citizen of the State of Texas.

4. Upon information and belief, Plaintiffs are limited liability companies organized under the laws of the State of Oklahoma whose members are citizens of states other than Texas and Delaware.

5. The amount in controversy exceeds \$75,000, exclusive of interests and costs.

6. Federal subject matter jurisdiction in this action exists under 28 U.S.C. § 1332(a) because there is complete diversity of citizenship between Plaintiffs and Defendants and the amount in controversy is in excess of \$75,000, exclusive of interests and costs.

7. The removal of this action is authorized by 28 U.S.C. § 1441(a), which allows the removal of any civil action brought in a state court of which the District Courts of the United States have original jurisdiction.

8. Removal of this action is timely because thirty days have not elapsed since Defendants' receipt of the petition.

9. A copy of the Petition is attached as Exhibit 1. A copy of the docket in the state court action is attached as Exhibit 2.

Respectfully submitted,

GORDON & REES, LLP

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2021, I submitted the attached document to the Clerk of Court and served the attached document by U.S. Mail on the following:

Seth A. Day
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Attorneys for Plaintiffs

/s/ Dylan Charles Edwards

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